

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**INDICTMENT FOR VIOLATION OF THE
FEDERAL CONTROLLED SUBSTANCES ACT**

UNITED STATES OF AMERICA

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CRIMINAL DOCKET NO:

v.

*

SECTION:

**DEVERN MORGAN
JOSE RUBI**

*

**VIOLATION: 21 U.S.C. § 841(a)(1)
21 U.S.C. § 846**

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The Grand Jury charges that:

COUNT 1

Beginning at a time unknown and continuing until on or about March 24, 2008, in the Eastern District of Louisiana and elsewhere, the defendants, **DEVERN MORGAN** and **JOSE RUBI**, did knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons known and unknown to the Grand Jury, to possess with the intent to distribute 500 grams or more of cocaine hydrochloride, a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B); all in violation of Title 21, United

States Code, Section 846.

COUNT 2

On or about March 24, 2008, in the Eastern District of Louisiana, the defendant, **DEVERN MORGAN**, did knowingly and intentionally possess with the intent to distribute 500 grams or more of cocaine hydrochloride, a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

NOTICE OF FORFEITURE

1. The allegations of Counts 1 and 2 of this indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 1 and 2 the defendants, **DEVERN MORGAN** and **JOSE RUBI**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts 1 and 2 of this indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;

- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property. All in violation of Title 21, United States Code, Section 853.

A TRUE BILL:

F O R E P E R S O N

JIM LETTEN #8517
UNITED STATES ATTORNEY

JAN MASELLI MANN #9020
FIRST ASSISTANT UNITED STATES ATTORNEY

MAURICE E. LANDRIEU, JR. #22104
ASSISTANT UNITED STATES ATTORNEY

New Orleans, Louisiana
March 27, 2008